

**ZB# 90-18**

**Robert Haight**

**59-2-20**

Prelim:  
Nov. 10, 1986.

2nd Prelim. at request of  
284  
July 9, 1990

3rd Prelim.  
Aug. 13, 1990

Requested:  
Photos, Deed &  
Title Policy.

New Amended  
Notice of Denial

Public Hearing:  
Oct. 22, 1990

Sent Notice to  
Sentinel - 9/27/90.

Paid fee \$25.00

Area Variance  
Granted  
10/22/90

#90-18-Haight, Robt.  
(area)

paid ck #495  
5/29/90.

# General Receipt

11693

TOWN OF NEW WINDSOR

555 Union Avenue  
New Windsor, N. Y. 12550

Oct 23 19 90

Received of Robert Haight \$ 25.00

Twenty-five and 00 DOLLARS

For ZBA Application fee # 90-18

DISTRIBUTION:

FUND	CODE	AMOUNT
CE # 495		25.00

By Pauline M. Townsend  
Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

7  
(ZBA DISK#6-082790.FD)

NEW WINDSOR ZONING BOARD OF APPEALS

-----X

In the Matter of the Application of

ROBERT R. HAIGHT,

file  
DECISION GRANTING  
AREA VARIANCES

#90-18.

-----X

WHEREAS, ROBERT R. HAIGHT, P. O. Box 27, Salisbury Mills, N.Y. 12577-0027, has made application before the Zoning Board of Appeals for 7,275 s.f. lot area and 25 ft. lot width variance to construct a single-family residential dwelling on Lake Road in an R-4 zone; and

WHEREAS, a public hearing was held on the 22nd day of October, 1990 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared with his attorney, Lawrence X. Kennedy, Esq., 26 Scotchtown Avenue, Goshen, N. Y. 10924 in support of the application; and

WHEREAS, the application was unopposed, although two spectators at the public hearing were concerned with the access to the property and the proposed house location in view of drainage problems in the area; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to vary the bulk regulations with regard to lot area and lot width in order to create a buildable lot and eventually construct a single-family residential dwelling thereon.

3. The evidence presented by Applicant substantiated the fact that a variance for less than the allowable lot area and lot width would be required in order for applicant to construct a single-family residential dwelling and rejection of same would cause practical difficulty since subject parcel is bifurcated by Lake Road into two (2) parcels of 15,448  $\pm$  s.f. and 5,814  $\pm$  s.f., exclusive of Lake Road square footage.

4. The Applicant's attorney stated that at the time of the purchase of the property in question that Applicant was informed that the lot was indeed a buildable lot.

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5. The evidence presented by the Applicant indicates that the requested lot area variance is based upon the area of the larger portion of the lot, i.e. the portion of the lot on the inland side of the Lake Road, not the lakefront portion.

6. The Applicant stated that the existing lot will not be subdivided further; and that he would not seek to build a house on the lakeside portion of the lot.

7. The evidence presented by the Applicant indicated that he would encounter practical difficulty if this variance is not granted since he relied upon the statement of a prior building inspector, that the lot was a buildable lot, when he purchased the same and paid a valuable consideration therefor.

8. The evidence presented by the Applicant further indicated that he would suffer significant economic injury if the requested variance is not granted. The Applicant indicated that the lot would be practically worthless if it does not become a building lot by virtue of being granted a variance. The Applicant indicated that there was no reasonable use for the property if the variance is not granted. Conversely, the Applicant indicated that, if the variance is granted, the lot would be worth at least as much as he had paid for it, as a building lot, and maybe even more.

9. The requested variances are not substantial in relation to the required bulk regulations.

10. The requested variances will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

11. The requested variance will produce no effect on the population density or governmental facilities.

12. That there is no other feasible method available to Applicant which can produce the necessary results other than the variance procedure.

13. The interest of justice would be served by allowing the granting of the requested variances.

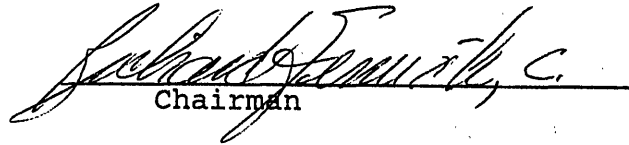
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 7,275 s.f. lot area and 25 ft. lot width variances sought by Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: December 10, 1990.

  
Chairman

October 22, 1990

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PUBLIC HEARING: ROBERT R. HAIGHT

BY MR. FENWICK: This is a request for 7,275 square foot lot area and 24 foot lot width for construction of single family residential dwelling on Windsor Terrace in an R-4 zone.

Lawrence X. Kennedy, Esq. came before the Board presenting this proposal along with Mr. Haight.

BY MR. KENNEDY: When I was also before you the request was made for a copy of the, Mr. Haight's deed, copy of his title report and the new drawing from the surveyor depicting the net square footage on the parcel where he'd like to build the home. Netting out the five foot easement and we have submitted that to Ms. Barnhart and I have my proofs of 37 mailings at \$2 a piece.

BY MR. LUCIA: Thank you for your submission. In looking at the deed, essentially the deed and the title report what I'm looking at is Covenant, restrictions and easements, all of which apparently affect the property but they are not turned out in the title report. We can accept your statements on the record. Is there anything in the covenants, restrictions or easements which would prevent the construction of the proposed building if this Board should grant a variance?

BY MR. KENNEDY: None at all.

BY MR. FENWICK: Okay, proceed.

BY MR. KENNEDY: Mr. Haight is dealing with arithmetic. He bought a lot which is bifurcated, cut across, by Lake Road. The total acreage he purchased exceeds your zoning requirements for sure. He bought it as one lot title company the deed and the deed going way back to his grantor was treated by surveyor back in '58 and '56 and treated the lot as one with some 25,000 square feet. His title report treated it as one and he at the time states to me that he went to the then building inspector and was told there is one visible lot. You wouldn't buy it, were it not. He wants to build a cedar and glass home on the higher portion of this land and left remaining part, the part that is on the lake, untouched and he can, with an



architect put in such a house. The problem is that the purpose of this house has to follow the architect's plans, the architect, the design of the house won't be sent without a \$20,000 deposit and the architect, everyone wants to go second here, but an architect would be dealing with 15 and 30 foot side setbacks and that is adequate amount of room for him. I know of no objection by immediate neighbors to his intentions, although I say this, that there were 37 on the list and --

BY MS. BARNHART: Do you have return receipts for us?

BY MR. KENNEDY: I have the receipts for certified mail or do you want the actual returns?

BY MS. BARNHART: The green cards.

BY MR. KENNEDY: The green cards, I have those, I didn't copy but I can, I think there is still one to the Snippel (phonetic) Corporation and Marichi (phonetic) Wilson came back, but the other cards are here.

BY MS. BARNHART: Thank you.

BY MR. KENNEDY: The only other thing I would like to mention to you is that what he's asking you to approve is really in keeping with adjoining lots, each of which, to the whatever way this is your left, simply are deficient widthwise and simply would be deficient in total acreage.

BY MR. TORLEY: There are houses on each of these lots?

BY MR. KENNEDY: Yes, and the house to your right is a very more narrow lot, it's not there, actually it's over here but in width it's about 25 feet. I think we have even more of them trickling in, they don't all come at the same time. I will have them all to you by Christmas.

BY MR. TORLEY: Is the applicant willing to make any stipulations on the lakeside piece of property?

BY MR. KENNEDY: Such as?

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BY MR. TORLEY: That he is not going to try to come back and throw something else on that side of the property?

BY MR. KENNEDY: He's not going to come back and throw something else on that side of the property, no, that is a small lot. What does that add up to in square footage?

BY MR. FENWICK: He just can't, by law.

BY MR. KENNEDY: In the equivalent of no further subdivision for the small lot is acceptable, sure.

BY MR. HAIGHT: I have a pavilion there now.

BY MS. BARNHART: Did you get a variance for that?

BY MR. HAIGHT: It was on there when I bought it, 12 by 12.

BY MR. FENWICK: There is a house on 21, there's a house on 22?

BY MR. TANNER: Yes, there is houses all around.

BY MR. FENWICK: Back in here?

BY MR. KENNEDY: Yes, that is Madden, this house here --

BY MR. LUCIA: Just for clarity, did you say you would not resubdivide this lot further?

BY MR. HAIGHT: I couldn't.

BY MR. KENNEDY: I will make it clear. Yes, he will not subdivide it further.

BY MR. LUCIA: And you would not at some point in the future seek to build a house on the lakeside part of the lot?

BY MR. HAIGHT: No.

BY MR. KENNEDY: No.

BY MS. BARNHART: For the record, I have 37 on the list, 35 return receipts.

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BY MR. KENNEDY: And I think we have one or two unclaimed.

BY MS. BARNHART: And also two unclaimed.

BY MR. FENWICK: Any questions from the members of the Board? At this time I will open it up to the public, state your name and your address.

BY PAUL GOODRICH: I live at 11 Windsor Terrace, I am adjacent, I am not opposed to a house on the lot. My major concern would be if the house is going to have entrance from Windsor Terrace being that it is so narrow taking into consideration that there is a sewer main and there is a culvert that Skippy's not here so that isn't maintained very well and my property does flood and this culvert and things are destroyed or if they come too close to the sewers that would be a concern of mine. That is the only thing I would say. My lot was wide enough to leave the house on. My piece of property, which is on the lake like this is not large enough to build.

BY MR. FENWICK: Your house is right next to it?

BY MR. GOODRICH: Yes, and the town came to me with a right of way four foot right of way on my property and four foot right of way on that lot for sewer so I would be concerned if the building would be too close to the sewer line and block off the culvert.

BY MR. FENWICK: He has to treat the sewer main like a side yard, he has to use that.

BY MR. GOODRICH: Then you have to take into consideration the property drainage that would be on the other side.

BY MR. KENNEDY: He's got 35 feet back from the street anyway and I don't know that it's a possibility, but this is for an architect to tell him, but his access may well be from Lake Road.

BY MR. GOODRICH: It would be the smartest way because that is the flattest spot, the culvert is a concern. It drains almost the whole top part of

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Windsor Terrace, it's two inches deep across the road. I have already complained.

BY MR. HAIGHT: There is a drain on the lefthand side of my property.

BY MR. GOODRICH: That drain also comes in from the center island. If that is disturbed by going through the property, I am going to be flooded.

BY MR. KENNEDY: It's not going to be because it would affect him too, and anyone who puts a house where, you know, parallel to yours, would create the same problem.

BY MR. HAIGHT: I wanted to come off Lake Road anyway.

BY MR. KENNEDY: Might be a nicer fix for him.

BY MR. GOODRICH: Definitely, yes.

BY MR. FENWICK: Anyone else here has any comments?

BY MARY JANE GISSELBRECHT: I live on Birchwood Lane. I was just concerned because of the severe terrain that you are facing on that lot where he was going to place the house. If you go 30 foot back on Windsor Terrace, you are up in the air.

BY MR. KENNEDY: That is a real deep lot, if I may answer that one, isn't it 200 and -- total depth of the lot is 318 feet.

BY MRS. GISSELBRECHT: That includes the road and the parcel on the other side of the road?

BY MR. KENNEDY: That is true, but --

BY MR. FENWICK: We are only addressing the one parcel, let's leave it at that.

BY MR. KENNEDY: The western parcel is 215 feet so he's got plenty of room to work with, has just to the road.

BY MRS. GISSELBRECHT: I was curious as to what kind of a building he was going to put and where he was going to build it because of the terrain.

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Evidently you don't have any blueprints or anything.

BY MR. KENNEDY: To get the blueprints you have to pay the fee of \$20,000 and have an architect work with that, so it's a cedar and glass house and his idea would be to look towards the lake, it sounds pretty decent house.

BY MR. TORLEY: You are intending on Lake Road entrance though, it's not relevant to the variance.

BY MR. KENNEDY: He's intending there, but those decisions are made by an architect. I don't know what's in here or where he's got shale.

BY MR. HAIGHT: I think Mr. Babcock said I could come in on the top if I wanted. There'd be enough room so I felt it would be hard getting out in the wintertime because it's downhill, that whole area is hilly.

BY MR. BABCOCK: He's he for lot area, he has to maintain his setbacks. If he wants to enter from either road, it's his privilege to do whatever one he wants.

BY MR. HAIGHT I figure I can put a culvert across the road down below.

BY MR. TORLEY: Again, it is not part of the variance.

BY MR. KENNEDY: He's got room to work with.

BY MR. FENWICK: Anything else, okay, you don't find any objection to him putting a house there, just as long as --

BY MRS. GISSELBRECHT: As long as it's a building lot.

BY MR. FENWICK: Thank you. At this time I will close the public hearing and open it back up to the members of the Board. If anyone has anything to say on the Board at this time I am going to have our attorney ask the applicant the pertinent questions as far as practical difficulty.

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BY MR. LUCIA: We should get something on the record about your practical difficulty showing, why don't we talk about significant economic injury for a moment. Could I get you to contrast the cost of the parcel, your cost for buying the land with its value as zoned. If you can't put a building there how do those two numbers relate? Are you going to lose money on the deal? Make money on the deal?

BY MR. HAIGHT: \$25,000 it cost me.

BY MR. KENNEDY: He's got \$25,000 or so into it and if it's not a buildable lot maybe 25 lira, I don't know, not much.

BY MR. LUCIA: If this Board did not grant a variance, is there any reasonable use to which you can put the property?

BY MR. HAIGHT: Not really, be wasted, I mean I can't see anything you can do with it. It is a total loss for me.

BY MR. KENNEDY: He bought it as a building lot.

BY MR. LUCIA: Conversely, if the Board were you grant a variance, what would the value of the lot be then to you?

BY MR. HAIGHT: Probably in other words, what I got into it, \$25,000 at least.

BY MR. KENNEDY: Improved with the house or --

BY MR. LUCIA: The lot with the variance becoming now a buildable lot, might even be worth more than \$25,000.

BY MR. KENNEDY: Since '86 predepression.

BY MR. HAIGHT: It may be worth \$40,000.

BY MR. LUCIA: Thank you. I have no further questions.

BY MR. FENWICK: You have sufficient evidence?

BY MR. LUCIA: Yes.

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BY MR. FENWICK: Any other questions from the Board members? Can I have a motion to grant the variance?

BY MR. TORLEY: I move we grant the variance.

BY MR. TANNER: I will second it.

ROLL CALL:

Finnagan:	Aye.
Torley:	Aye.
Tanner:	Aye.
Fenwick:	Aye.

BUDGET:

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# 90-18

Date: Sept. 18, 1990

I. Applicant Information:

- (a) Robert R. Haight, PO Box 27, Salisbury Mills, NY 12577-0027 (914) 294-7497  
(Name, address and phone of Applicant) (Owner)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) Lawrence X Kennedy, Esq., 26 Scotchtown Ave., Goshen, NY 10924 (914) 294-9771  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of broker)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. Property Information:

- (a) R-4 Windsor Terrace, T/New Windsor 59-2-20 23,773 s.f. total  
(Zone) (Address) (S B L) 14,515 net s.f.  
house site parcel
- (b) What other zones lie within 500 ft.? None
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 10/6/86
- (e) Has property been subdivided previously? No When? \_\_\_\_\_
- (f) Has property been subject of variance or special permit previously? No When? \_\_\_\_\_
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: No

IV. Use Variance: n/a

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_, to allow:  
(Describe proposal) \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_



- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

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V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-11, Table of Use Bulk Regs., Col. C (R-4, Suburban Residential)

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>21,790 s.f.</u>	<u>14,515 s.f. of</u>	<u>7,275 s.f.</u>
Min. Lot Width <u>100'</u>	<u>23,773 s.f. parcel</u>	<u>25'</u>
Reqd. Front Yd. _____	<u>75'</u>	_____
Reqd. Side Yd. <u>/</u>	<u>/</u>	<u>/</u>
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____

\* Residential Districts only

\*\* Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.
- Contiguous and neighboring lots are of same dimensions.
- Subject parcel is bifurcated by Lake Road into 2 parcels of 15,448± s.f. and 5,814± s.f., exclusive of Lake Road square footage.
- Applicant advised at purchase by Town that subject parcel was a buildable lot.

VI. Sign Variance: n/a

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

	Requirements	Proposed or Available	Variance Request
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

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- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

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VII. Interpretation:

- (a) Interpretation requested of New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

- (b) Describe in detail the proposal before the Board:

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VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Applicant seeks to construct a single family permanent residence for applicant of a standard and quality commensurate with those of contiguous and neighboring parcels.

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IX. Attachments required:

- \_\_\_\_\_ Copy of letter of referral from Bldg./Zoning Inspector.
- \_\_\_\_\_ Copy of tax map showing adjacent properties.
- \_\_\_\_\_ Copy of contract of sale, lease or franchise agreement.
- \_\_\_\_\_ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- \_\_\_\_\_ Copy(ies) of sign(s) with dimensions.
- \_\_\_\_\_ Check in the amount of \$ \_\_\_\_\_ payable to TOWN OF NEW WINDSOR.
- \_\_\_\_\_ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date September 18, 1990

STATE OF NEW YORK )  
COUNTY OF ORANGE ) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Robert R. Haight  
(Applicant) Robert R. Haight

Sworn to before me this

24<sup>th</sup> day of September, 19 90.

Patricia C. Andryszak

PATRICIA C. ANDRYSZAK  
NOTARY PUBLIC, State of New York  
Qualified in Orange County

Commission Expires

6/30/92

XI. ZBA Action:

(a) Public Hearing date \_\_\_\_\_.

(b) Variance is Area Variance.

Special Permit is \_\_\_\_\_.

(c) Conditions and safeguards: \_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY  
RESOLUTION OF ZONING BOARD OF APPEALS.



**Name of Insured**

Robert R. Haight

**Policy No.** 10-24645 (6242)

**Amount of Insurance** \$ 20,000.00

**Date of Issue** 10/08/86

The estate or interest insured by this policy is fee simple vested in the insured by means of a deed made by John Knipp and Fannie Knipp, his wife, dated 10/06/86, recorded 10/08/86 in Liber 2589 Cp. 133, Orange County Clerk's Office.

**SCHEDULE B**

The following estates, interests, defects, objections to title, liens and incumbrances and other matters are excepted from the coverage of this policy:

1. Defects and incumbrances arising or becoming a lien after the date of this policy, except as herein provided.
2. Consequences of the exercise and enforcement or attempted enforcement of any governmental, war or police powers over the premises.
3. Any laws, regulations or ordinances (including, but not limited to zoning, building, and environmental protection) as to use, occupancy, subdivision or improvement of the premises adopted or imposed by any governmental body, or the effect of any noncompliance with or any violation thereof.
4. Judgments against the insured or estates, interests, defects, objections, liens or incumbrances created, suffered, assumed or agreed to, by or with the privity of the insured.
5. Title to any property beyond the lines of the premises, or title to areas within or rights or easements in any abutting streets, roads, avenues, lanes, ways or waterways, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement, unless this policy specifically provides that such titles, rights, or easements are insured. Notwithstanding any provisions in this paragraph to the contrary, this policy, unless otherwise excepted, insures the ordinary rights of access and egress belonging to abutting owners.
6. Title to any personal property, whether the same be attached to or used in connection with said premises or otherwise.
7. Survey made by Edward T. Zaback, LLS., dated 9/03/86, shows wood structured shelter within the lines and no variations or encroachments, except as follows:
  - a) Overhead transmission lines cross premises.
  - b) Policy will not insure lands in the bed of lake Road and will further except the provisions of Section 189 of the highway law but will insure legal access to and over same.
  - c) Policy will not insure land under the waters of Beaver Dam Lake or any rights in and to the waters of same, nor riparian rights thereto.
  - d) 5' wide sanitary sewer easement recited in L 2093 Cp. 468 runs along S.W. line gravel drive located partly on premises herein and partly in premises adjoining on S.W. is located in easement area.
8. Utility Service Lines and Easements as same now exist.  
Declaration of Easement area in L 1387 Cp. 264 reported for information only - Beach and/or Lake rights will not be insured.  
Covenants and Restrictions in Deed L 1096 Cp. 213 and L 1472 Cp. 13 (Beach and/or Lake rights will not be insured.)  
Easement Grant in L 2093 Cp. 456.  
Grants in L 1029 Cp. 282 and L 1092 Cp. 282.

SCHEDULE "B" OF THIS POLICY CONSISTS OF

SHEET(S).



SCHEDULE A

Title No. 10-24645 (6242)

ALL that certain plot, piece, or parcel of land situate, lying and being in the Town of New Windsor, Orange County, New York bounded and described as follows:

BEGINNING at a point marked by an iron pipe found in the easterly line of Windsor Terrace, said point being in the Division Line between lands now or formerly Goodrich on the south L. 2178 P. 194 and lands to be conveyed to Robert R. Haight on the north also being distant 91.43' as measured on a course N. 18-49E. from an iron pipe found and running thence: Along the easterly line of Windsor Terrace and along lands now or formerly Madden L. 1935 P. 740 on a course N. 18-49E. passing through an iron pipe found at 38.96' for a total distance of 75.00' to an iron pipe found; thence along lands now or formerly Madden and passing through Lake Road S. 69-21-40E. 316.52' feet to a point in the westerly side of Beaver Dam Lake; thence along the westerly side of Beaver Dam Lake S. 17-38-48W. 75.00' to a point in lands now or formerly Goodrich; thence along lands now or formerly Goodrich on a course N. 69-22-25W. and passing through an iron pipe found at 21.71' and an iron post at 62.81' respectively also passing through Lake Road for a total distance of 318.05' to the Beginning Point.



## Title Insurance Policy

In consideration of the payment of its charges for the examination of title and its premium for insurance, insures the within named insured against all loss or damage not exceeding the amount of insurance stated herein and in addition the costs and expenses of defending the title, estate or interest insured, which the insured shall sustain by reason of any defect or defects of title affecting the premises described in Schedule A or affecting the interest of the insured therein as herein set forth, or by reason of unmarketability of the title of the insured to or in the premises, or by reason of liens or encumbrances affecting title at the date thereof, or by reason of any statutory lien for labor or material furnished prior to the date hereof which has now gained or which may hereafter gain priority over the interest insured hereby, or by reason of a lack of access to and from the premises, excepting all loss and damage by reason of the estates, interests, defects, objections, liens, encumbrances and other matters set forth in Schedule B; or by the conditions of this policy hereby incorporated into this contract, the loss and the amount to be ascertained in the manner provided in said conditions and to be payable upon compliance by the insured with the stipulations of said conditions, and not otherwise.

In Witness Whereof, **National Attorneys' Title Insurance Company** has caused this policy to be signed and sealed as of the date herein shown, the policy to become valid when countersigned by an authorized signatory.

Andrew Marcaldo Agency  
P.O. Box 3110  
Port Jervis, N.Y. 12771  
(914) 875-2131

NATIONAL ATTORNEYS' TITLE INSURANCE COMPANY



Policy No. 10-24645  
(6242)

Countersigned

Authorized Officer or Agent

*Brenda W. Lucin*

Attest:

Assistant Secretary

*Charles Kucala*

President

*Debra W. Ben*





1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12550  
(914) 565-8800

OFFICE OF THE SUPERVISOR

FAX TERMINAL NUMBER  
(914) 565-1142  
FAX TRANSMITTAL COVER SHEET

From:

*Pat Barnhart*

Department:

*Legal / ZBA*

Mailing Address:

*(above)*

Telephone Number: (914)

*565 - 8550*

NUMBER OF PAGES IN THIS TRANSMISSION

*2 incl. cover*

To:

*Lawrence X. Kennedy, Esq.*

Department:

Mailing Address:

FAX NUMBER

*( 914 ) 297 - 9773*

A CONFIRMATION OF THIS TRANSMISSION IS/IS NOT REQUESTED

MESSAGE:



PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals  
of the TOWN OF NEW WINDSOR, New York will hold a  
Public Hearing pursuant to Section 48-34A of the  
Zoning Local Law on the following proposition:

Appeal No. 18

Request of ROBERT R. HAIGHT

for a VARIANCE of

the regulations of the Zoning Local Law to

permit construction of a single family permanent

residence w/ insufficient lot area and lot width;

being a VARIANCE of

Section 48-11 - Table of Use/Bulk Regs., Cols. C & D

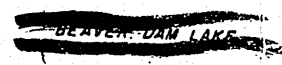
for property situated as follows:

Windsor Terrace, Town of New Windsor,

Section 59, Block 2, Lot 20,

SAID HEARING will take place on the 22nd day of  
October, 1990, at the New Windsor Town Hall,  
555 Union Avenue, New Windsor, N. Y. beginning at  
7:30 o'clock P. M.

RICHARD FENWICK  
Chairman



New Windsor  
Section 59  
Block 2  
Lot 20  
R4

John & Fannie Knipos

Rt 208

W. Hill

496-7449

S 59

B 3

L 20

358-5347  
79 St. James St  
St. Louis, Mo

Ed J. Carson

534-5335

Cherry Bata

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

**THIS INDENTURE**, made the 6th day of October, nineteen hundred and eighty-six  
**BETWEEN**

JOHN KNIPP and FANNIE KNIPP, his wife, both  
residing at Route 208, Washingtonville, New  
York 10992

party of the first part, and ROBERT R. HAIGHT, residing at 142 Montgomery  
Street, Goshen, New York 10924

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of -----  
-----Ten (\$10.00)----- dollars,

lawful money of the United States, and other good and valuable consideration paid  
by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or  
successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,  
lying and being in the Town of New Windsor, County of Orange and State of  
New York, bounded and described as follows:

BEGINNING at a point in the southeasterly side of Windsor Terrace marked by an iron pipe and distance as measured along the same the following two courses and distances from the southeasterly corner of Valley Drive and Windsor Terrace: 1) North 77 degrees 34' East 63.04 feet, and 2) North 18 degrees 49' East 515.80 feet; and running thence North 18 degrees 49' East 75 feet to a pipe (passing through a pipe representing a deflection point in Windsor Terrace at a distance of 38.96 feet); thence along other lands of Clarence P. Strakosch and Mary E. Strakosch South 69 degrees 21' 40" East 316.52 feet to a point in the westerly side of Beaver Dam Lake (passing through a pipe on said course at a distance of 294.81 feet; thence along the westerly side of said Lake South 17 degrees 33' 15" West 75 Feet to a point; thence along other lands of Strakosch North 69 degrees 22' 25" West 318.05 feet (passing through pipes on said course at distances of 21.71 feet and 150 feet) to the point or place of beginning. Containing 23,768.55 square feet or 0.5457 acres of land, more or less. Excepting from the above described premises all land in the bed of Lake road, approximately 33 feet wide.

SUBJECT to any state of facts an accurate survey may show.

SUBJECT to easements, covenants, restrictions, declarations and agreements of record contained in deed dated July 25, 1958 from Clarence P. Strakosch and Mary E. Strakosch, his wife, which was re-

TOWN OF NEW WINDSOR  
Section 59, Block 2, Lot 20

party of the first part, and ROBERT R. HAIGHT, residing at 142 Montgomery Street, Goshen, New York 10924

party of the second part,

WITNESSETH, that the party of the first part, in consideration of -----  
-----Ten (\$10.00)----- dollars,

lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point in the southeasterly side of Windsor Terrace marked by an iron pipe and distance as measured along the same the following two courses and distances from the southeasterly corner of Valley Drive and Windsor Terrace: 1) North 77 degrees 34' East 63.04 feet, and 2) North 18 degrees 49' East 515.80 feet; and running thence North 18 degrees 49' East 75 feet to a pipe (passing through a pipe representing a deflection point in Windsor Terrace at a distance of 38.96 feet); thence along other lands of Clarence P. Strakosch and Mary E. Strakosch South 69 degrees 21' 40" East 316.52 feet to a point in the westerly side of Beaver Dam Lake (passing through a pipe on said course at a distance of 294.81 feet; thence along the westerly side of said Lake South 17 degrees 33' 15" West 75 Feet to a point; thence along other lands of Strakosch North 69 degrees 22' 25" West 318.05 feet (passing through pipes on said course at distances of 21.71 feet and 150 feet) to the point or place of beginning. Containing 23,768.55 square feet or 0.5457 acres of land, more or less. Excepting from the above described premises all land in the bed of Lake road, approximately 33 feet wide.

SUBJECT to any state of facts an accurate survey may show.

SUBJECT to easements, covenants, restrictions, declarations and agreements of record contained in deed dated July 25, 1958 from Clarence P. Strakosch and Mary E. Strakosch, his wife, which was recorded in Liber 1472 of Deeds Page 13 in the Orange County Clerk's Office on August 12, 1958.

TOGETHER with an easement of right of way for access over and upon Windsor Terrace and Valley View Drive and along the same to and from Lake Road (Jackson Avenue).

TOGETHER with an easement for the use of the Beach Areas as described in a Declaration of Beach Area Easement dated and recorded May 25, 1956 in Liber 1387 of Conveyances at page 264.

BEING the same premises described in a deed from Charles J.

TOWN OF NEW WINDSOR  
Section 59, Block 2, Lot 20

Deninger and Frances L. Deninger to John Knipp dated November 21, 1963 and recorded in the Orange County Clerk's Office on December 6, 1963 in Liber 1653 of Deeds at page 538.

BEING the same premises described in a deed from John Knipp to John Knopp and Fannie Knipp, his wife, dated January 25, 1964 and recorded in the Orange County Clerk's Office on January 29, 1964 in Liber 1656 at page 315.

BEING the same premises as set forth in a survey prepared by Edward T. Zaback, P.L.S., dated September 10, 1986 and more particularly set forth and described as follows:

ALL that certain plot, piece, or parcel of land situate, lying and being in the Town of New Windsor, Orange County, New York bounded and described as follows:

BEGINNING at a point marked by an iron pipe found in the easterly line of Windsor Terrace, said point being in the Division Line between lands now or formerly Goodrich on the south L. 2178 P. 194 and lands to be conveyed to Robert R. Haight on the north also being distant 91.43' as measured on a course N. 18-49E. from an iron pipe found and running thence: Along the easterly line of Windsor Terrace and along lands now or formerly Madden L. 1935 P. 740 on a course N. 18-49E. passing through an iron pipe found at 38.96' for a total distance of 75.00' to an iron pipe found; thence along lands now or formerly Madden and passing through Lake Road S. 69-21-40E. 316.52' feet to a point in the westerly side of Beaver Dam Lake; thence along the westerly side of Beaver Dam Lake S. 17-38-48W. 75.00' to a point in lands now or formerly Goodrich; thence along lands now or formerly Goodrich on a course N. 69-22-25W. and passing through an iron pipe found at 21.71' and an iron post at 62.81' respectively also passing through Lake Road for a total distance of 318.05' to the Beginning Point.

Containing 23,733 S.F. or 0.55 Acre.

BEING the same premises described in a deed from John Knipp to John Knopp and Fannie Knipp, his wife, dated January 25, 1964 and recorded in the Orange County Clerk's Office on January 29, 1964 in Liber 1656 at page 315.

BEING the same premises as set forth in a survey prepared by Edward T. Zaback, P.L.S., dated September 10, 1986 and more particularly set forth and described as follows:

ALL that certain plot, piece, or parcel of land situate, lying and being in the Town of New Windsor, Orange County, New York bounded and described as follows:

BEGINNING at a point marked by an iron pipe found in the easterly line of Windsor Terrace, said point being in the Division Line between lands now or formerly Goodrich on the south L. 2178 P. 194 and lands to be conveyed to Robert R. Haight on the north also being distant 91.43' as measured on a course N. 18-49E. from an iron pipe found and running thence: Along the easterly line of Windsor Terrace and along lands now or formerly Madden L. 1935 P. 740 on a course N. 18-49E. passing through an iron pipe found at 38.96' for a total distance of 75.00' to an iron pipe found; thence along lands now or formerly Madden and passing through Lake Road S. 69-21-40E. 316.52' feet to a point in the westerly side of Beaver Dam Lake; thence along the westerly side of Beaver Dam Lake S. 17-38-48W. 75.00' to a point in lands now or formerly Good rich; thence along lands now or formerly Good rich on a course N. 69-22-25W. and passing through an iron pipe found at 21.71' and an iron post at 62.81' respectively also passing through Lake Road for a total distance of 318.05' to the Beginning Point.

Containing 23,733 S.F. or 0.55 Acre.

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above



... HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.



AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Witnesses:  
John Knipp  
Fannie Knipp

  
\_\_\_\_\_  
JOHN KNIPP  
  
\_\_\_\_\_  
FANNIE KNIPP

STATE OF NEW YORK, COUNTY OF ORANGE

ss:

On the 6th day of October 19 86, before me personally came

John Knipp and Fannie Knipp

to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same.

Notary Public

EDWARD J. CARROLL  
Notary Public, State of New York  
Qualified in Ulster County  
Commission Expires March 30, 1987

STATE OF NEW YORK, COUNTY OF

ss:

On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

ss:

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

ss:

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

**Bargain and Sale Deed**

WITH COVENANT AGAINST GRANTOR'S ACTS

Title No. 6242

JOHN KNIPP and FANNIE KNIPP,  
his wife

TO

ROBERT R. HAIGHT

SECTION

BLOCK

LOT

COUNTY OR TOWN

RETURN BY MAIL TO:

CONNOLLY & CONNOLLY, ESQS.  
Goshen Savings Bank  
One South Church Street  
Goshen, New York 10924  
Zip No.

Andrew Mercaldo  
P. O. Box 3110  
Port Jervis, NY 12771

g Office.

80-17-5  
Dutch Heating  
Record Book

23.00  
588  
133  
copy

47

**SSI:**

**STATE OF NEW YORK, COUNTY OF**

588

On the            day of            19            , before me  
personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No. 6242

JOHN KNIPP and FANNIE KNIPP,  
his wife

TO

ROBERT R. HAIGHT

SECTION

**BLOCK**

LOT

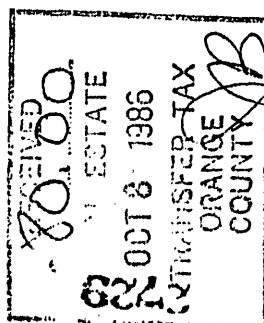
COUNTY OR TOWN

**RETURN BY MAIL TO:**

CONNOLLY & CONNOLLY, ESQS.  
Goshen Savings Bank  
One South Church Street  
Goshen, New York 10924  
Zip No.

Andrew Mercaldo  
P. O. Box 3110  
Port Jervis, NY 12771

**Reserve this space for use of Recording Office.**



LIBER 2589 PG 136

of Oct 26 1889  
at 12 o'clock 133  
and Examined.  
M. W. S. Murphy

# EDWARD T. ZABACK, L.S.

LAND SURVEYOR

12 SAINT JOHN ST.  
P.O. BOX 624  
GOSHEN, N.Y. 10924  
914-294-5721

September 7, 1990

## Description of a Portion of Property for

ROBERT R. HAIGHT

### PARCEL 1

All that certain plot, piece, or parcel of land situate, lying and being in the Town of New Windsor, Orange County, New York bounded and described as follows:

Beginning at a point marked by an iron pipe found in the easterly line of Windsor Terrace, said point being in the division line between lands now or formerly Goodrich on the south L.2178 P.194 and lands now or formerly Robert R. Haight on the north L.2589 P.133, also being distant 91.43' as measured on a course N.18-49 E. from an iron pipe found; thence

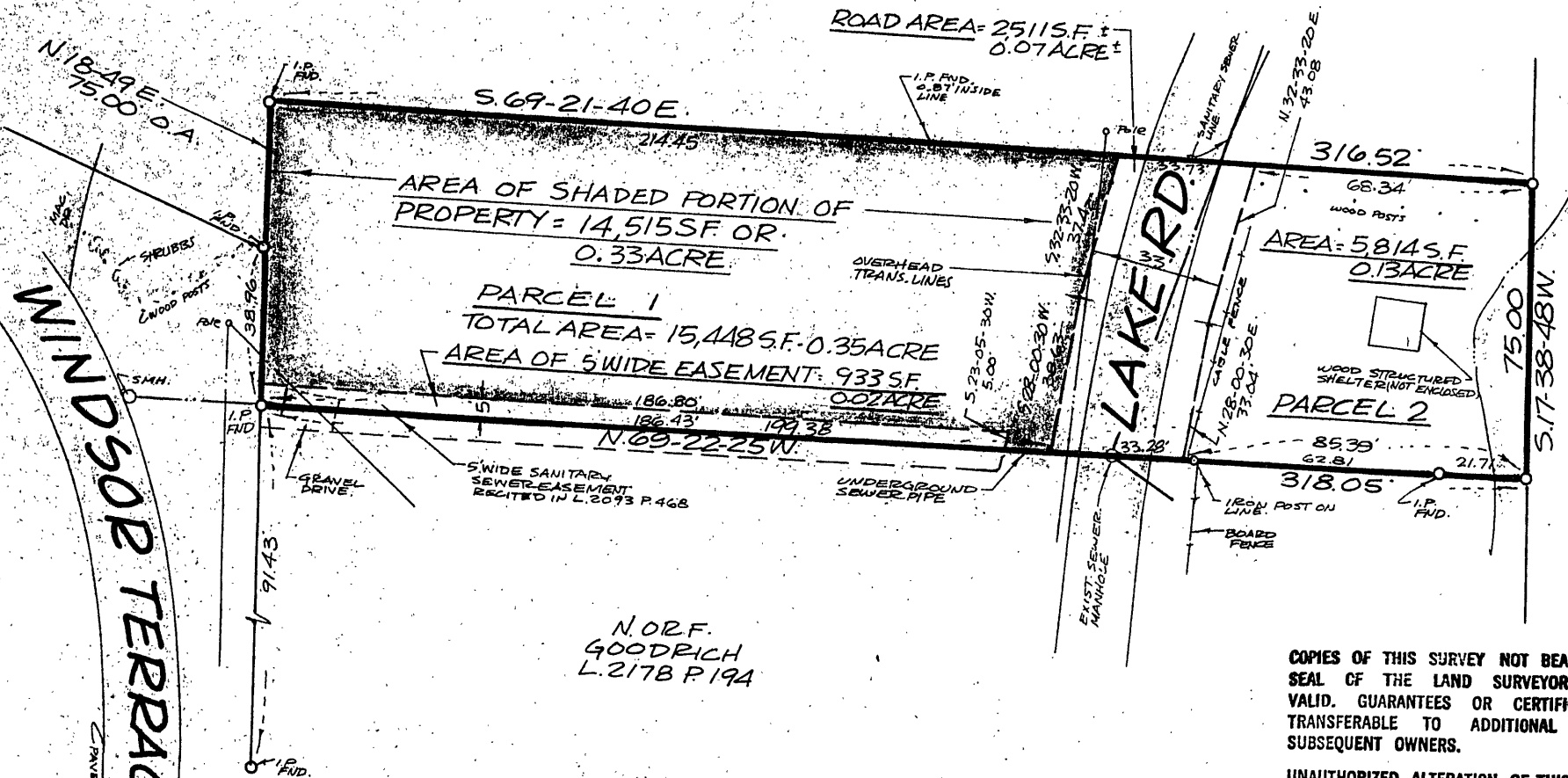
1. Along the easterly line of Windsor Terrace and along lands now or formerly Madden L.1935 P.740 on a course N.18-49 E. passing through an iron pipe found at 38.96' for a total distance of 75.00' to an iron pipe found; thence
2. Along lands now or formerly Madden S.69-21-40 E. 214.45' to a point in the westerly R.O.W. line of Lake Road; thence
3. Along the westerly R.O.W line of Lake Road S.32-33-20 W. 37.42' to a point; thence
4. Still along the aforementioned S.28-00-30 W. 38.63' to a point in lands now or formerly Goodrich; thence
5. Along lands now or formerly Goodrich N.69-22-25 W. 199.38' to the BEGINNING POINT.

CONTAINING 15,448 S.F. or 0.35 ACRE

REF: Being a portion of County Tax Map Parcel Sec.59-2-20

NOTE: SUBJECT TO THE RIGHTS OF THE PUBLIC IN AND TO SUCH PORTIONS OF THE LANDS THAT MAY LIE WITHIN THE BOUNDS OF LAKE ROAD. (APPROX. 33' WIDE)

N. ORF.  
MADDEN  
L. 1935 P. 740



N. ORF.  
GOODRICH  
L. 2178 P. 194

# SURVEY OF PROPERTY FOR **ROBERT R. HAIGHT**

TOWN OF NEW WINDSOR  
SCALE 1" = 40'

ORANGE COUNTY, N.Y.

SEPT. 3, 1986 AREA = 23,773 SF 0.55 ACRE

AUGUST 15, 1990 - AREA COMPUTATION OF WESTERLY PORTION OF PROPERTY.

SEPT. 4, 1990

REF: DEED L. 2589 P. 133  
TAX MAP SEC. 59-2-20

CERTIFIED TO:

ROBERT R. HAIGHT AND NATIONAL ATTORNEYS TITLE INSURANCE  
CO. TO BE CORRECT AND ACCURATE.

GRANTS:

HIGHLAND TELEPHONE EASEMENT RECITED IN  
L. 1029 P. 282  
NEW YORK TELEPHONE CO. EASEMENT RECITED  
IN L. 1092 P. 282

EDWARD T. ZABACK L.L.S.  
LIC. LAND SURVEYOR #049161  
GOSHEN, N.Y. *Edward T. Zaback*

PR-86-145

COPIES OF THIS SURVEY NOT BEARING THE EMBOSSED SEAL OF THE LAND SURVEYOR SHALL NOT BE VALID. GUARANTEES OR CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

UNAUTHORIZED ALTERATION OF THIS DOCUMENT IN ANY WAY, CONSTITUTES A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, par. 7209 (2).



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT

1763

FILE NUMBER 90-24  
TO: ROBERT R. HAIGHT  
P.O. Box 27  
SALISBURY MILLS, NY 12577  
PHONE: 294-7497

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 8/30/90,  
FOR PERMIT TO CREATE BUILDABLE LOT  
AT LAKE ROAD + WINDSOR TERRACES DISSAPROVED ON THE  
FOLLOWING GROUNDS INSUFFICIENT AREA + LOT WIDTH

ZONE R-4 TYPE OF VARIANCE AREA/LOT WIDTH

REQUIREMENTS	PROPOSED	VARIANCE
<u>AREA 21,790'</u>	<u>14,515'</u>	<u>7,275'</u>
<u>LOT WIDTH 100'</u>	<u>75'</u>	<u>25'</u>

CALL PAT BARNHART (ZBA SECRETARY) AT 565-8550 FOR APPOINTMENT

David J. Scamaroni

BUILDING/ZONING INSPECTOR

**IMPORTANT**  
**REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE**

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1- WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
- 2- FOUNDATION INSPECTION - CHECK HERE FOR WATERPROOFING AND FOOTING DRAINS.
- 3- INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
- 4- WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
- 5- INSULATION.
- 6- PLUMBING FINAL & FINAL. HAVE ON HAND ELECTRICAL INSPECTION DATA PER THE BOARD OF FIRE UNDERWRITERS, AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETE AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
- 7- DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
- 8- \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE SAME INSPECTION TWICE.
- 9- PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
- 10- THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
- 11- SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
- 12- SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
- 13- ROAD OPENING PERMITS MUST BE OBTAINED FROM TOWN CLERK'S OFFICE.
- 14- ALL BUILDING PERMITS WILL NEED A CERTIFICATE OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A \$15.00 FEE FOR THIS.

Name of Owner of Premises..... Robert R. Haight  
Address..... P.O. Box 27, Salisbury Mills N.Y. Phone..... (914)2947497  
Name of Architect .....  
Address ..... Phone.....  
Name of Contractor .....  
Address ..... Phone.....  
State whether applicant is owner, lessee, agent, architect, engineer or builder..... Owner  
If applicant is a corporation, signature of duly authorized officer.

.....  
(Name and title of corporate officer)

1. On what street is property located? On the East Side side of Lake Road

IF ANY OF THOSE LISTED BELOW, OR LESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1- WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
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- 14- ALL BUILDING PERMITS WILL NEED A CERTIFICATE OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A \$15.00 FEE FOR THIS.

Name of Owner of Premises Robert R. Haight  
Address P.O. Box 27, Salisbury Mills N.Y. Phone (914)2947497  
Name of Architect .....  
Address ..... Phone .....  
Name of Contractor .....  
Address ..... Phone .....  
State whether applicant is owner, lessee, agent, architect, engineer or builder Owner  
If applicant is a corporation, signature of duly authorized officer.

.....  
(Name and title of corporate officer)

1. On what street is property located? On the East Side side of Lake Road  
and 650 Ft. feet from the intersection of (N.S.E. or W.) Lake Road & Hill Crest Drive
2. Zone or use district in which premises are situated. Is property in a flood zone? Yes ..... No X
3. Tax Map description of property: Section 59 Block 2 Lot 20
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:  
a. Existing use and occupancy Vacant Land b. Intended use and occupancy Home
5. Nature of work (check which applicable): New Building X Addition ..... Alteration ..... Repair .....  
Removal ..... Demolition ..... Other .....
6. Size of lot: Front Rear 75 Depth 214 Front Yard 90 Rear Yard 86 Side Yard 20 1/2  
Is this a corner lot? No
7. Dimensions of entire new construction: Front 34 Rear 34 Depth 38 Height 26 Number of stories 2
8. If dwelling, number of dwelling units One Number of dwelling units on each floor .....  
Number of bedrooms 3 Baths 2 Toilets 2  
Heating Plant: Gas ..... Oil X Electric/Hot Air X Hot Water .....  
If Garage, number of cars 2
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....  
.....
10. Estimated cost..... Fec.....

(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.



TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....  
Approved.....19.....  
Disapproved a/c.....  
Permit No. ....

Office Of Building Inspector  
Michael L. Babcock  
Town Hall, 555 Union Avenue  
New Windsor, New York 12550  
Telephone 565-8807

Refer -  
Planning Board.....  
Highway.....  
Sewer .....  
Water .....  
Zoning Board of Appeals .....

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....8/30/...19.90....

INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- d. The work covered by this application may not be commenced before the issuance of a Building Permit.
- e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

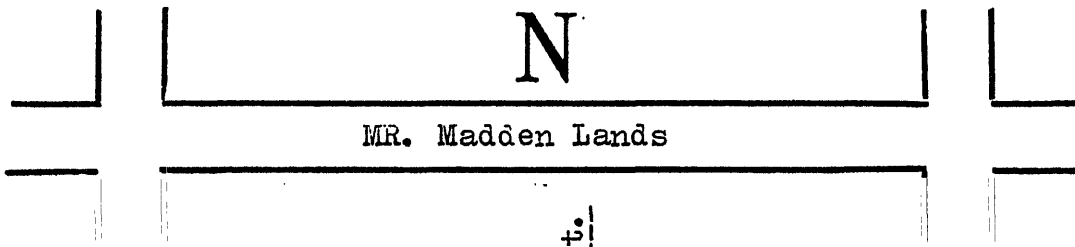
*Robert R. Haight*  
(Signature of Applicant)

P.O. Box 27

Salisbury Mills, N.Y. 12577  
(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.  
Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Planning Board.....  
Highway.....  
Sewer.....  
Water.....  
Zoning Board of Appeals .....

Pursuant to New York State Building Code and Town Ordinances

Date.....8/30/1990....

### INSTRUCTIONS

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P.O. Box 27

Salisbury Mills, N.Y. 12577

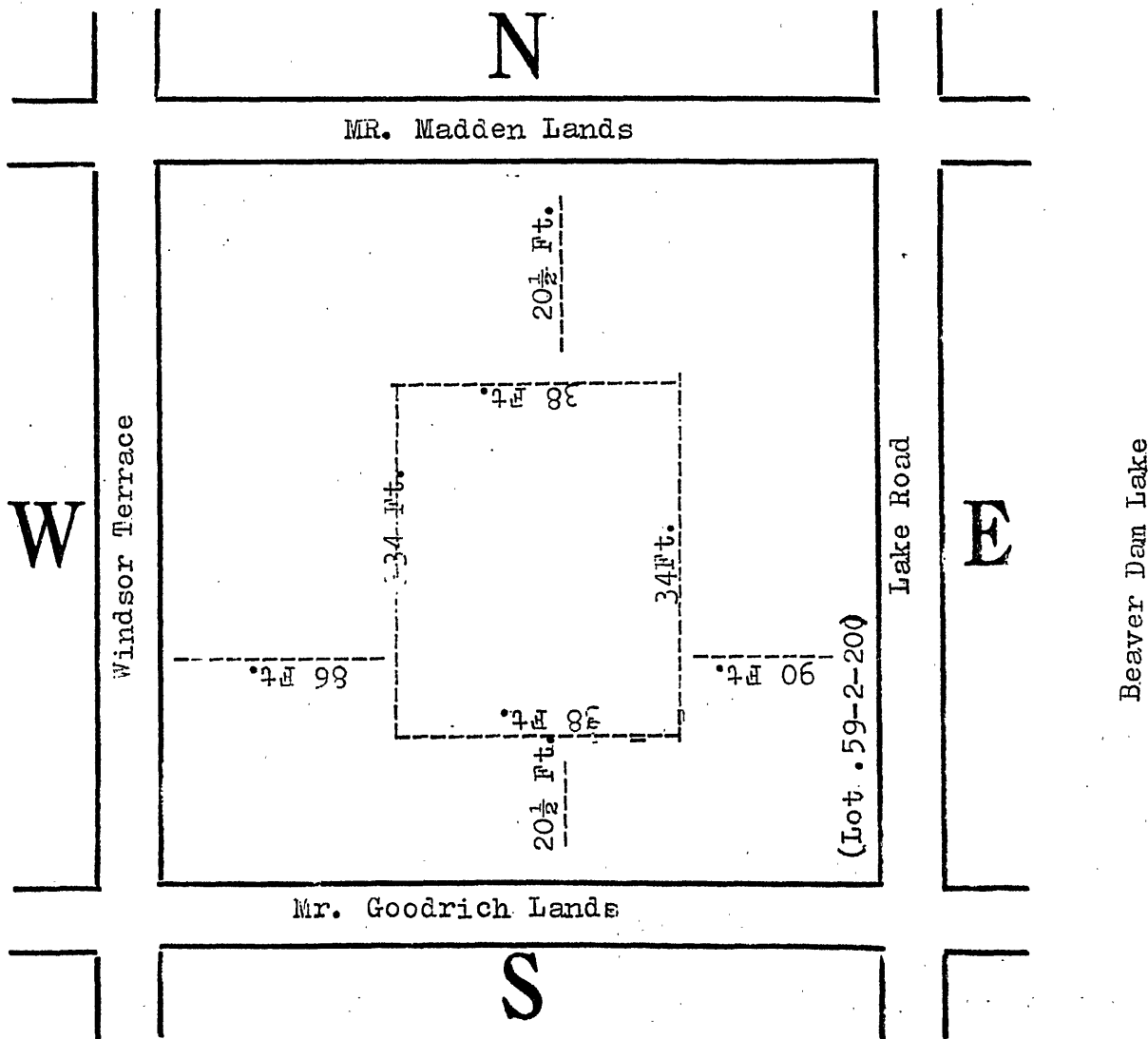
(Signature of Applicant)

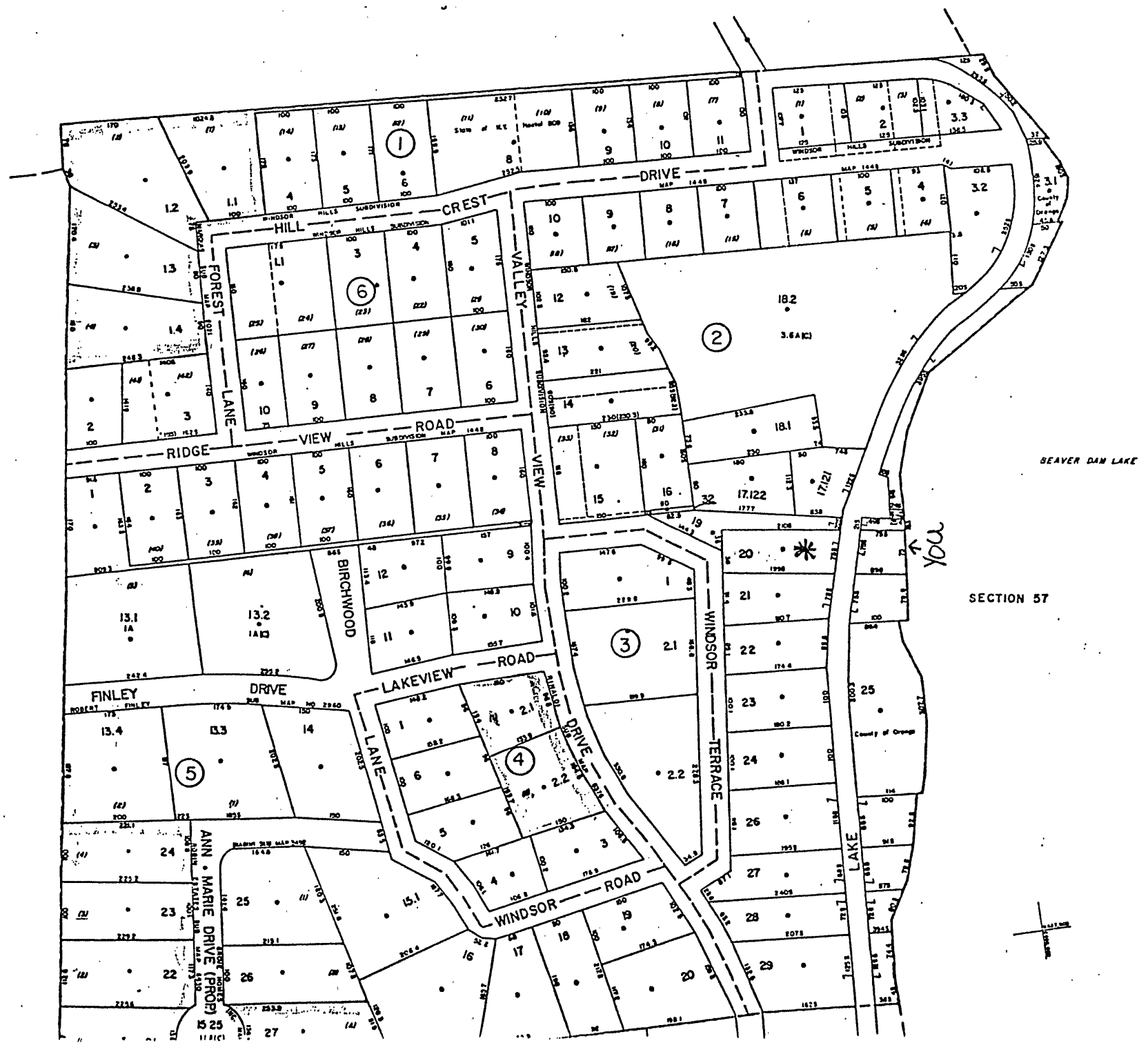
(Address of Applicant)

### PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.





SECTION 57

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ROBERT HAIGHT:

Larry Kennedy, Esq. and Robert Haight came before the Board representing this proposal.

BY MR. FENWICK: This is a request for 7,615 square foot lot area and 25 foot lot width to construct a single family residence at the intersection of Lake Road and Windsor Terrace in an R4 zone.

BY MR. KENNEDY: I don't think the designation of square footage is quite right. It's the other lot that he is referring to on the application that would be a lot of 15,773 square feet. The lot on the lake is 7,000 square foot lot.

BY MR. LUCIA: The square footage is not right. You are referring to the denial from the building inspector?

BY MR. KENNEDY: That is right. The building inspector has it set out here correctly.

BY MR. LUCIA: The denial from the building inspector's figures are correct.

BY MR. KENNEDY: The building inspector's figures are correct except that we believe the proposed lot is 15,773 square feet. He has it as 14,175. We don't think his dimension is correct but he is correct that it is the bigger of the two lots being that between Windsor Terrace and Lake Road.

BY MR. FENWICK: Are you dimensions based on the survey?

BY MR. KENNEDY: The dimensions are based on the survey contained in the deed and a subsequent survey prepared by Edward Zaback. I think you may have a copy of it.

BY MR. SCIAMANNA: Well then Rich, on the application, then the figures were wrong.

BY MR. FENWICK: Yes, but I want to find out where he is conforming his new figures from. I believe him, that doesn't bother me. I just want to know.

BY MR. KENNEDY: Figures are from Zaback's survey

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and from the deed to Mr. Haight from parties named Nip back in 1986.

BY MR. LUCIA: I am wondering if we should amend your application to reflect the now correct figures.

BY MR. KENNEDY: Our application does. The application does carry it at 15,773, I think.

BY MR. FENWICK: Where did the 14,175 come from, is that initially from you or don't you know?

BY MR. KENNEDY: I don't know, maybe it was computed from the tax map.

BY MR. SCIAMANNA: That is what was given on the application. It is 189 x 75 and that comes up to 14,175 by my figures and then we have got to change it.

BY MR. KENNEDY: I have got to refer to the surveyor.

BY MR. SCIAMANNA: I have got 189 on the application.

BY MR. FENWICK: Probably because he squared it off on the application and it actually, it's not a square lot. It's got a little bit of a front to it so --

BY MR. TORLEY: This is the lot that is on the road side, not the lake side?

BY MR. KENNEDY: That is correct. When Mr. Haight bought the property in 1986, it had Lake Road through it or the predecessor of Lake Road, whatever, and the, I don't think there is any contention here that the gross square footage exceeds the requirement. I believe the requirement is 21,790 square feet so he is looking for a variance in two regards. Number one, from that minimum lot area I just referred to and the minimum lot width which is 100 feet there that he has 75 or 78, depending on your reading.

BY MR. LUCIA: Whatever the numbers are, they are. I'm not concerned about that. I think we probably

should have the building inspector's denial, your application and the survey all working with the same set of numbers so the Board is clear as exactly what it is they are granting. You do have the correct proposed square footage in your application, although I don't think the 6,000 plus or minus variance request, you know, we really should have that to the square foot.

BY MR. KENNEDY: We want to make the Zaback's survey part of the application and perhaps we can submit metes and bounds. On his behalf, I want to say a couple of things. Mr. Haight's need is for one parcel of land. When he purchased the property in 1986, he tells me that he had previously spoken with the building inspector and was assured that it was a buildable lot. He would never have purchased it otherwise. I want to tell you that the tax map of the town doesn't treat these two lots as two lots. It is treated as one lot for your taxing purposes, and we can call your attention to the fact that I believe two earlier variances were granted, variances of the same type and as you are granting here, we are asking you to grant here, that is the subdivision of lots having less than the required area and less than the required width. I believe the names and I could be corrected here, are for Rinaldi and Russet (phonetic). I need also tell you or draw your attention to the fact lots 21, I don't know if you have, lots 21, 22, 23, 24 and 25 also I think would compute out to of less than the variance required or being required of Mr. Haight.

BY MR. FENWICK: Let me ask you something. You have sewage available to you but not water, is that correct?

BY MR. HAIGHT: No water, sewage, I have to put a well in.

BY MR. KENNEDY: I want to say this, too. Although it's not before we haven't had a public hearing, we have spoken to adjoining property owners and to wit I spoke with the Maddens today and there is no objection to what Mr. Haight proposes to do.

BY MR. FENWICK: They are the people that live at 21?

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BY MR. KENNEDY: They are the people who live on the, this side, 19 and 16, well they have the two lots right here.

BY MR. FENWICK: Do you know if he spoke to the people here?

BY MR. KENNEDY: Mr. Haight did and I did not. He has told me that there was no objection to his putting a house in.

BY MR. FENWICK: I'd like to ask you a question here. Do you know if in fact there are houses on 27 and 28?

BY MR. KENNEDY: I don't know. I can say that I have seen that there are a series of houses on a variety of lots. As to each lot, I don't know.

BY MR. HAIGHT: I got the last lot I believe.

BY MR. KENNEDY: I don't think there is an objection to it. The land is as he acquired it and it is an obvious hardship that he can't do anything with it. I don't think the granting of a variance would work any detriment to the neighbors and in fact, of course they can speak for themselves, but I think they don't oppose it at all. His plan is for either to put a good quality house for his own purposes or in possession of a building lot conceivably to sell it at a later time.

BY MR. FENWICK: From what I can see right here, if you are saying it's 15,773 square feet, your variance would be for 6,017 feet.

BY MR. KENNEDY: I think those are the correct numbers, and if you can let me just double check.

BY MR. NUGENT: Because other lots have gotten variances, doesn't, that is not to say they will.

BY MR. TORLEY: The fact that it is listed as a single lot, two sides of the road, gives me the impression that the lots were divided and then the road was put through there.

BY MR. KENNEDY: I think they were divided when the

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road was put through.

BY MR. HAIGHT: Road was in before the 1800's.

BY MR. FENWICK: That road's been there a long time.

BY MR. NUGENT: We have had that problem on several occasions.

BY MR. KENNEDY: One other point is this, that when and if he is confined in building to the higher lot, you know, happily confined but confined to it, I submit that the town gets the benefit of the lakefront lot being left green and being left open, and I think that is well and good for the town's purposes. It really is quite lovely along that stretch, so if the town is getting a benefit, I think Mr. Haight ought to get the benefit or similar benefit.

BY MR. TORLEY: You said that there are houses along these other lots?

BY Mr. HAIGHT: Yes. Mr. Madden is on my right.

BY MR. LUCIA: Are any of those other houses built on the lake side of the road?

BY MR. HAIGHT: No.

BY MR. LUCIA: Everybody is across the road as you are supposed to be?

BY MR. HAIGHT: Yes.

BY MR. KENNEDY: The reason being these are nub lots, this lot here is used as a beach and there is a, you have a --

BY MR. HAIGHT: I have a pavilion on the other side.

BY MR. KENNEDY: This part is used as a beach for swimming and that would remain so.

BY MR. TORLEY: Does the building application show sort of an outline of a proposed house location?



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BY MR. FENWICK: Not now, but he would have to stay within the, it could be another problem on their part, but right now he would have to stay within the law.

BY MR. KENNEDY: He'd be saddled with the side yard and setback requirements and he'd have to get a house designed accordingly, no question.

BY MR. FENWICK: You are going to, it's not a corner lot, all right.

BY MR. NUGENT: Any easements going through the property?  
We ran over that once also.

BY MR. FENWICK: Any sewer easements or anything in your property?

BY MR. HAIGHT: Yes, I have two poles plus a sewer main, sewer from up above comes down and then I have a pole at the top and I have a pole at the bottom.

BY MR. TORLEY: Are those easements shown on your survey?

BY MR. HAIGHT: The town asked me if they could bring that down.

BY MR. LUCIA: It raises an issue of the area of the easement being subtracted from your lot area so you may have to recomputed based on a new survey, your actual variance application. It's by change in the definition of lot area they now within the definition of lot area, exclude easement areas, so you may have to have a revised survey.

BY MR. KENNEDY: He is a couple thousand feet above the minimum requirement. I don't think that would entail a difficulty..

BY MR. FENWICK: We have people now that have legal sized lots that have a sewer easement, cross the corner and it knocks them down, I mean you are already down, they are legal or in excess of being legal and have had a sewer line come in there through there and the easement being 15 foot wide and the length of their lot which could be 100

feet, it's 1500 square feet they have to subtract off of the lot area.

BY MR. HAIGHT: What about the poles?

BY MR. FENWICK: I don't know what kind of easement. Right now the sewer easement is the problem that we have run into all over the place. We have right down here.

BY MR. HAIGHT: This runs parallel between the other and myself right now. The side, they took five feet, it's right in the deed.

BY MR. TORLEY: Does he have two front yards because he fronts on Lake Road and Windsor Terrace?

BY MR. KENNEDY: Yes, he does.

BY MR. FENWICK: You are going to be in a lot of problems building a house on this, you haven't seen the end of us, if that is a corner lot.

BY MR. KENNEDY: I think this entrance would be off Lake Road.

BY MR. TORLEY: Maybe even is the corner lot -- he fronts on two public roads, too. Because he fronts on two roads, you actually have two front yards, so the setbacks count as two front yards. I don't know where you are going to put the house.

BY MR. KENNEDY: That is for some poor architect to worry about.

BY MR. TORLEY: And to fit the minimum size requirements.

BY MR. LUCIA: You may want to play out the numbers just to make sure that your application to this Board is complete. It may affect not only your frontage but some other requirements if the house can't be skewed enough to meet the two front yards.

BY MR. KENNEDY: Surveyors rarely exactly agree. I will get from Zaback the breakdown on the two lots, metes and bounds to accompany the map.

BY MR. TORLEY: And the easement sizes.

BY MR. FENWICK: Is that piece of property the Maddens, that strip along the side of you, is that a driveway?

BY MR. HAIGHT: No.

BY MR. KENNEDY: They use a squibb of it, a piece of 19 to get into their property. In other words, they cross 19 to come in here.

BY MR. FENWICK: But not down here?

BY MR. KENNEDY: No, no, that is all woods, they come in right here.

BY MR. HAIGHT: There is two lots.

BY MR. KENNEDY: That is the essence of it, I think he is asking for no more than what the other property owners have. The town has always treated this as being one lot and to not give him the benefit of the Lake Road lot in the computation of his overall acreage would be a hardship. If he is going to locate between the two roads, we ask for the two variances width and area.

BY MR. FENWICK: I'd be very surprised if you don't hear from people out there complaining about the water, people are going crazy out there with the water, insufficient water underground.

BY MR. HAIGHT: There is good water out there.

BY MR. FENWICK: The last time we had somebody in here, they were complaining about the water out there. The water table is dropping.

BY MR. NUGENT: Would this lot be considered a two road frontages?

BY MR. FENWICK: Yes.

BY MR. NUGENT: Though it only touches a little bit on one side?

BY MR. FENWICK: Yes, it is 35 feet, if he gets 35 on one and 35 on the other, he has still got 119 to build a house left.

BY MR. NUGENT: 75.

BY MR. FENWICK: It's 189 foot deep, side yards he's all right.

BY MR. NUGENT: That means he can build a 45 foot house maximum.

BY MR. FENWICK: It depends if he puts it the other way.

BY MR. NUGENT: Then he needs front and rear.

BY MR. FENWICK: He's got two front yards.

BY MR. KENNEDY: The total depth is 318 feet. It's almost 200 on the uphill side.

BY MR. FENWICK: I'd like to see this corrected right now to make this 6,017 if the building inspector will agree.

BY MR. TORLEY: We can't because we don't know what the easement sizes are.

BY MR. NUGENT: Five foot either side of the property line, the one I just handed you.

BY MR. FENWICK: Yes, it's five foot. I am going to refer back to the lawyer but I believe he has to subtract this off of the total property.

BY MR. LUCIA: When you do your computation for the public hearing, the area of the easement must be subtracted from your gross lot area.

BY MR. KENNEDY: That is a sewer easement for five feet?

BY MR. FENWICK: Right, five feet times the length, it doesn't go the full length, it's only --

BY MR. HAIGHT: It goes the full length.

BY MR. FENWICK: According to the survey it stops.

BY MR. HAIGHT: Goes right near the road, supposed to cause the sewer connection right here. They

told me that wouldn't crush my property when they put it in.

BY MR. FENWICK: When did they put it in?

BY MR. HAIGHT: In '86.

BY MR. FENWICK: I will tell you right now it's your lot the law just got passed. We are not even talking about a law that is a year old.

BY MR. KENNEDY: You mean on the easement subtraction?

BY MR. FENWICK: Yes.

BY MR. LUCIA: The other thing the Board may want to consider and the applicant may want to speak to for the public hearing, this is a variance request that is computed on the area on only one side of the road, although it's a single lot and I presume you have a deed to show us that when you come in for the public hearing. But you may want to consider as a Board conditioning your variance on the lot on the other side of the road not being buildable and not being subject to being subdivided.

BY MR. KENNEDY: We have made that statement. I am saying for the record here that we do have the deed, that we do have the title policy that it indicates 22,733 square feet beyond the ordinance.

BY MR. LUCIA: To address the question sometime in the future, we can --

BY MR. KENNEDY: We will make that statement again, I think that is fair enough.

BY MR. FENWICK: In order to move this along since this is the second time you have been here, I'd like to ask the lawyer, would it be proper for him to amend this application as we are seeing now, we should have all the corrections when it comes time for the public hearing. We are not talking about a lot of footage, we are talking about --

BY MR. KENNEDY: I will submit a letter after I have my figures from Zaback with a diminution by

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the five feet times the length of the upper lot and I will ask you now that the letter be made part of the application.

BY MR. LUCIA: If that is agreeable with the Board, I have no problem. Just by the time of the actual public hearing we should have an amended notice of rejection from the building inspector that has the same as the application.

BY MR. FENWICK: Okay, at that time we will need, we'd like to have photographs of the property, whatever the lawyer requires.

BY MR. LUCIA: A copy of the deed and title policy.

BY MR. KENNEDY: At the public hearing?

BY MR. LUCIA: Please.

BY MR. KENNEDY: Do we know when that would be?

BY MR. FENWICK: When your paperwork gets in.

BY MR. KENNEDY: All I am going to submit is a letter now after dealing with the surveyor, other than that --

BY MR. TORLEY: Just doing the notifications.

BY MR. KENNEDY: The date, what date do I have to give them notice of?

BY MS. BARNHART: I fill in the date when all the information comes back to me when you get your letter back to me, I will fill in the date. Probably even next meeting.

BY MR. KENNEDY: The letter I am adding so that square footage, what else are you asking me to submit? I have all the names of the people involved and we did pay all the fees.

BY MS. BARNHART: How about your legal notice, is that in here?

BY MR. KENNEDY: No.

BY MS. BARNHART: All the information has to come

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back to me and I add the date of the hearing.

BY MR. FENWICK: Then he has to send out the notices.

BY MR. TORLEY: They have to be ten days or --

BY MR. FENWICK: Ten days, it is on the application. I am going to ask you not to leave any stone unturned when you come back here for the public hearing. I think you know what we want.

BY MS. BARNHART: We need an amended notice too, Dino.

BY MR. LUCIA: Just speak to the issue of practical difficulty, that is the standard on which the Board has to make a decision.

BY MR. SCIAMANNA: I have to make --

BY MR. LUCIA: I presume you'd like to be on the agenda for that meeting. If we get your paperwork in time, you may.

BY MR. KENNEDY: I don't think I need to be on the agenda.

BY MR. LUCIA: We normally don't get the minutes until just on the eve of the next meeting. I think you probably want, if you wait for the minutes, it is going to toss you back.

BY MR. FENWICK: Motion to set him up for a public hearing?

BY MR. NUGENT: I will make that motion.

BY MR. TANNER: I will second it.

ROLL CALL:

TORLEY:	Aye.
TANNER:	Aye.
NUGENT:	Aye.
FENWICK:	Aye.

Snipel Corp.  
27 Waring Rd.  
Newburgh, NY 12550

Schelhammer, Erwin O. & Erna  
Hillcrest Rd.  
Salisbury Mills, NY 12577

Dale, Barbara  
RD #4, Hillcrest Dr.  
Salisbury Mills, NY 12577

Witt, Robert E. & Edna J.  
RD #1, Hillcrest Dr.  
Salisbury Mills, NY 12577

Pearson, John & Elsie  
RD #1, Box 110, Hillcrest Dr.  
Salisbury Mills, NY 12577

Conley, Albert N. & Mary Jane  
Hillcrest Dr.  
Salisbury Mills, NY 12577

Capone, Joseph R. & Annette M.  
RD #1, Box 112, Hillcrest Dr.  
Salisbury Mills, NY 12577

Kitchen, Paul M. & Alida J.  
113A Hillcrest Dr.  
Salisbury Mills, NY 12577

Hagerth, Rita F.  
Box 151, RD #1  
Salisbury Mills, NY 12577

Walters, William A. & Janet L.  
RD #1, Box 117  
Salisbury Mills, NY 12577

Shand, Leo S. & Maureen A.  
RD #1, Valley Dr.  
Salisbury Mills, NY 12577

Lunn, George J. & Paula W.  
RD #1, Box 136  
Salisbury Mills, NY 12577

Madden, Jr. James A. & Marguerite O.  
RD #4, Windsor Terrace  
Salisbury Mills, NY 12577



O'Brien, Timothy J. & Mary  
Apt. 2614, 111 Briny Ave.  
Pompano Beach, FL 33062

Goodrich, Paul S. & Donna M.  
Box 138A, RD #1  
Salisbury Mills, NY 12577

Weider, Arthur  
552 LaGuardia Place  
New York, NY 10012

Remba, Frances H.  
Windsor Terrace  
Salisbury Mills, NY 12577

Sutton, Francis E. & Marianne  
RD #4, Windsor Terrace  
Salisbury Mills, NY 12577

The Co. of Orange  
F/B/O Beaver Dam Lake  
Protection & Rehab. District  
265 Main St.  
Goshen, NY 10924

Best, Hermina & Charles  
c/o Kilkes  
4 Park Forest Dr.  
Pittsford, NY 14534

Wilson, Marianne Chi  
22 Valley View Dr., Windsor Terrace  
New Windsor, NY 12553

Strakosch, Clarence F. & Mary E.  
15 Hickory Hill Rd.  
Tappan, NY 10983

Blauth, Sr. George D.  
RD #4, Windsor Terrace  
Salisbury Mills, NY 12577

Delgado, Stephen H. & Bertha  
RD #1, Box 142, Valley View Dr.  
Salisbury Mills, NY 12577

Cahill, Conor & Anne Rita  
141B Valley View Dr.  
Salisbury Mills, NY 12577

Gisselbrecht, Jr. George L. & Mary Jane  
RD #1  
Salisbury Mills, NY 12577

Shepard, Edwin L. & Ann Saweikis-Shepard  
141 Valley View Dr.  
Salisbury Mills, NY 12577

Rinaldi, James V.  
12 Scotchtown Ave.  
Goshen, NY 10924

Salas, Michael & Annette  
Windsor Rd.  
Salisbury Mills, NY 12577

Rhein, Danny & Janine  
Po Box 149  
Salisbury Mills, NY 12577

Halinan, Michael J. & Mary Alice  
RD #1, Ridgeview Rd.  
Salisbury Mills, NY 12577

Bauer, Gregory L. & Marilyn L.  
134C Valley Dr.  
Salisbury Mills, NY 12577

Olsen, Jerry & Linda  
RD #1, Valley View Rd.  
Salisbury Mills, NY 12577

Racette, Eugene L. & Florence P.  
RD #1, Box 143  
Salisbury Mills, NY 12577

Toole, Vera M. & Charles F.  
RD #1, Lakeview Rd.  
Salisbury Mills, NY 12577

Barbieri, Kenneth & Juanita A.  
RD #1, Valley Dr.  
Salisbury Mills, NY 12577

Kiefer, Jr. Vincent  
371 N. Elting Corners Rd.  
Highland, NY 12528



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# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

(914) 565-8550

June 6, 1990  
FAX: 914-565-1142

Lawrence X. Kennedy, Esq.  
20 Scotchtown Avenue  
P. O. Box 857  
Goshen, N. Y. 10924

RE: APPLICATION OF ROBERT R. HAIGHT FOR AREA VARIANCE

Dear Mr. Kennedy:

This is to advise that I am in receipt of your correspondence dated June 1, 1990 transmitting the above application together with public hearing notice, check for application fee in the sum of \$25.00 and list from Assessor's Office containing property owners within 500 ft.

Please be advised that the ZBA members request that you appear preliminarily before the Board since the date of your first preliminary meeting was November 10, 1986.

I will hold the above paperwork in my file pending your appearance with Mr. Haight at a new preliminary meeting. In the interim, please call my office for an appointment on the ZBA agenda.

Very truly yours,

A handwritten signature in cursive script that reads "Patricia A. Barnhart".

PATRICIA A. BARNHART, Secretary  
New Windsor ZBA

/pab

File  
Prelim.  
11/10/86

TOWN OF NEW WINDSOR  
ORANGE COUNTY, N. Y.  
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. ....

Date 9/8, 1986

To Robert R. Haight

PO Box 270

Tel 294-7494

Salisbury Mills N.Y. 12577-0027

PLEASE TAKE NOTICE that your application dated 9/8, 1986

for permit to Build Home

at the premises located at Lake Rd

R4 ZONE

is returned herewith and disapproved on the following grounds:

Need 21,780 Ft Have 14,175 Ft

Lot With Need 100ft Have 75 Ft

Need

John Finnegan Zoning Inspector  
Building Inspector

Proposed or Variance

ORANGE COUNTY, N. Y.  
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. ....

Date 9/8, 1986

To Robert R. Haight

PO Box 270

Tel 294-7494

Salisbury Mills N.Y. 12577-0027

PLEASE TAKE NOTICE that your application dated 9/5, 1986

for permit to Build Home

at the premises located at Lake Rd

R4 ZONE

is returned herewith and disapproved on the following grounds:

Need 21,780 Ft Have 14,175 Ft

Lot With Need 100 Ft Have 75 Ft

Need

John Finnegan Zoning Inspector  
Building Inspector

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>21,780 Ft</u>	<u>14,175 Ft</u>	<u>7,605 Ft</u>
Min. Lot Width <u>100 Ft</u>	<u>75 Ft</u>	<u>25 Ft</u>
Reqd. Front Yd. <u>100 Ft</u>	<u>75 Ft</u>	<u>25 Ft</u>
Reqd. Side Yd. <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* <u>1000</u>	_____	_____
Dev. Coverage* _____ %	_____ %	<u>7</u>
Floor Area Ratio** _____	_____	_____

\* Residential Districts only

\*\* Non-residential districts only

Name of Owner of Premises Robert R. Haight  
Address P.O. Box 27, Lakes Rd. Salisbury Mill, NY Phone 294-7497  
12517-0027  
Name of Architect.....

Address..... Phone .....

Name of Contractor .....

Address..... Phone .....

State whether applicant is owner, lessee, agent, architect, engineer or builder:.....

If applicant is a corporation, signature of duly authorized officer.

.....  
(Name and title of corporate officer)

1. On what street is property located? On the E side of LAKE ROAD  
(N. S. E. or W.)  
and 1000? feet from the intersection of VALLEY VIEW DRIVE

2. Zone or use district in which premises are situated .....

3. Tax Map description of property: Section 59 Block 2 Lot 20

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy VACANT b. Intended use and occupancy RESIDENCE

5. Nature of work (check which applicable): New Building ☒ Addition..... Alteration..... Repair..... Removal.....  
Demolition..... Other.....

6. Size of lot: Front 75 Rear 75 Depth 284 Front Yard 40 Rear Yard 315 Side Yard 22.5

Is this a corner lot?.....

7. Dimensions of entire new construction: Front 30 Rear 30 Depth 28 Height 23 Number of stories 1.5

8. If dwelling, number of dwelling units 1 1/2 Number of dwelling units on each floor.....

Number of bedrooms 2 Baths 1 1/2 Toilets 2

Heating Plant: Gas..... Oil ☒ Electric...../Hot Air ☒ Hot Water.....

If Garage, number of cars 1-2?

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....

10. Estimated cost 50,000 Fee.....  
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

Address.....Phone .....

State whether applicant is owner, lessee, agent, architect, engineer or builder.....

If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the.....E.....side of.....LAKE ROAD.....  
(N. S. E. or W.)

and ..1000-?.....feet from the intersection of.....VALLEY VIEW DRIVE.....

2. Zone or use district in which premises are situated .....

3. Tax Map description of property: Section.....59..... Block.....2..... Lot.....20.....

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy ..VACANT..... b. Intended use and occupancy RESIDENCE.

5. Nature of work (check which applicable): New Building.....☒.....Addition.....Alteration.....Repair.....Removal.....  
Demolition.....Other.....

6. Size of lot: Front.....75..... Rear.....75..... Depth.....284..... Front Yard.....40..... Rear Yard.....315..... Side Yard.....22.5.....

Is this a corner lot?.....

7. Dimensions of entire new construction: Front.....30..... Rear.....30..... Depth.....24..... Height.....23..... Number of stories.....1.5.....

8. If dwelling, number of dwelling units.....1 1/2..... Number of dwelling units on each floor.....

Number of bedrooms.....2..... Baths.....1 1/2..... Toilets.....2.....

Heating Plant: Gas..... Oil.....☒.....Electric...../Hot Air.....☒..... Hot Water.....

If Garage, number of cars.....1-2 ?.....

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....

10. Estimated cost.....50,000..... Fee.....  
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

### IMPORTANT

#### REQUIRED INSPECTIONS OF CONSTRUCTION — YOU MUST CALL FOR THESE

Other inspections will be made in most cases, but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections, it has not been approved, and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS — 565-8807

- 1—When excavating is complete and footing forms are in place (before pouring).
- 2—Foundation Inspection - check here for waterproofing and footing drains.
- 3—Inspect gravel base under concrete floors, and underslab Plumbing.
- 4—When framing is completed, and before it is covered from inside, and Plumbing rough-in.....
- 5—Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.
- 6—Driveway inspection must meet approval of town Highway Inspector.
- 7—\$20.00 charge for any site that calls for the same inspection twice.

W J P O U  
S W  
W J P O U BD Lake.

W J P O U  
W J P O U Lot area  
unaff.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....  
Approved.....19.....  
Disapproved a/c.....  
Permit No. ....

Office of Building Inspector  
Michael L. Babcock  
Town Hall, 555 Union Avenue  
New Windsor, New York 12550  
Telephone 565-8807

Refer --  
Planning Board.....  
Highway.....  
Sewer.....  
Water.....  
Zoning Board of Appeals .....

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date... *August 28* 19*86*.....

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

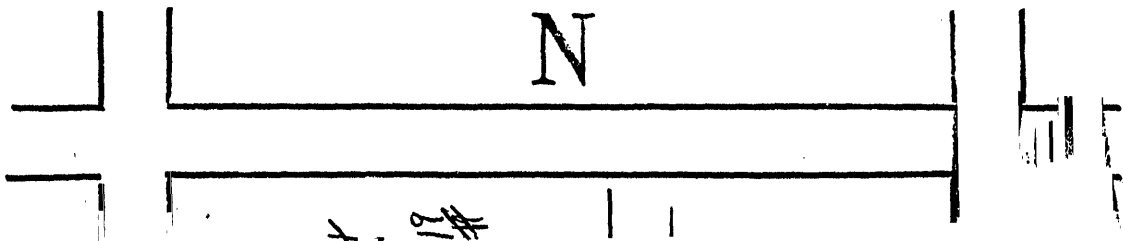
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

*Robert B. Daugherty*..... *P.O. Box 27 - Lakeside, Salisbury Mills N.Y.*  
(Signature of Applicant)..... (Address of Applicant) *12544-0039*

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.





Planning Board.....  
Highway.....  
Sewer.....  
Water.....  
Zoning Board of Appeals .....

APPLICATION FOR BUILDING PERMIT  
Pursuant to New York State Building Code and Town Ordinances

Date... *August 28* 19*86*.....

INSTRUCTIONS

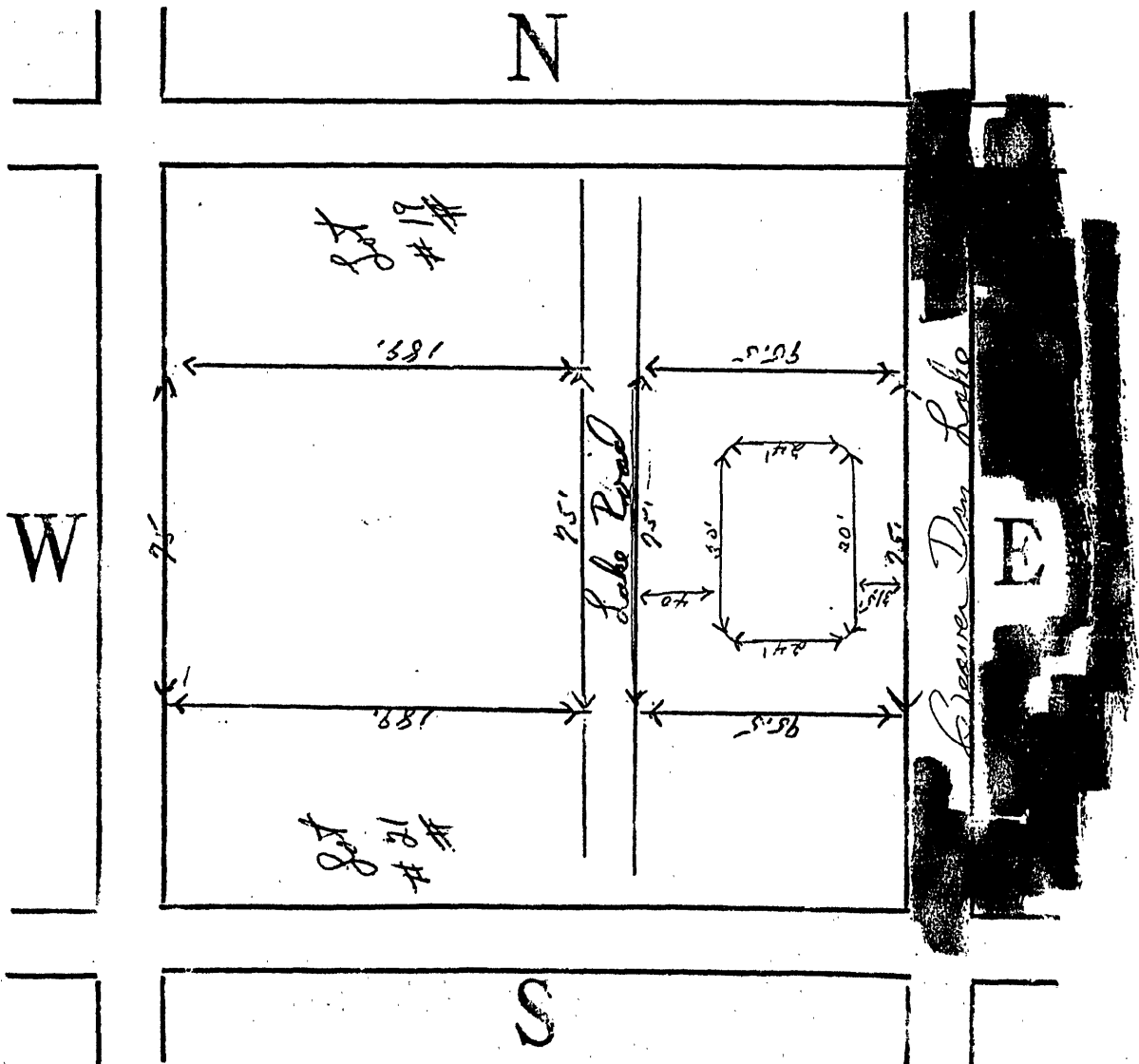
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- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
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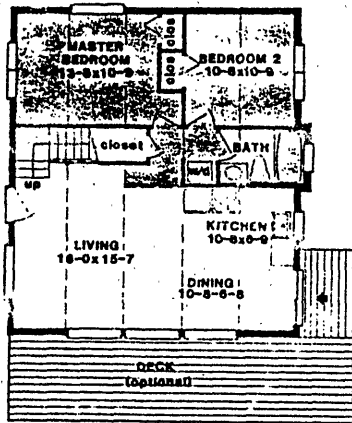
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*Robert B. Doughty*..... *P.O. Box 27 - Lakeside, Salisbury Mills N.Y.*  
(Signature of Applicant) (Address of Applicant) *12547-0039*

PLOT PLAN

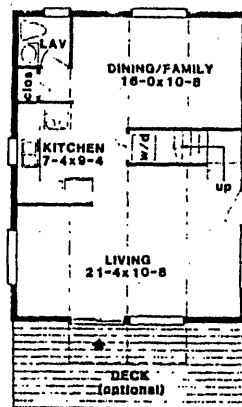
NOTE: Locate all buildings and indicate all set-back dimensions.  
Applicant must indicate the building line or lines clearly and distinctly on the drawings.



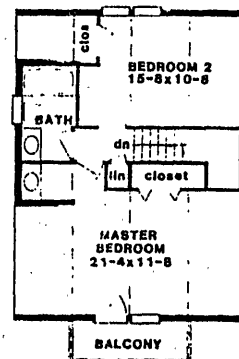


Shading indicates open loft over first floor.

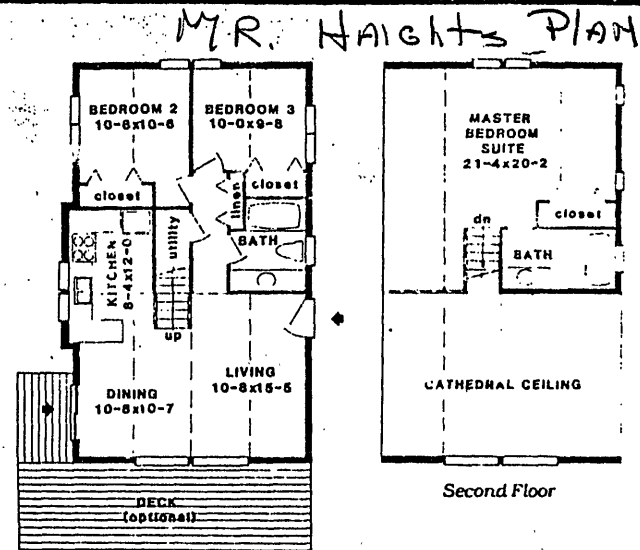
**Grenoble**  
1,191 sq. ft.  
26'-11" x 29'-11"



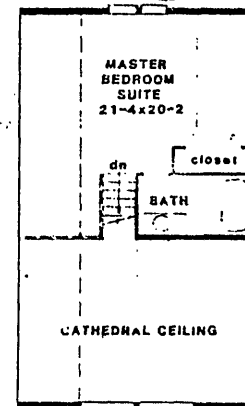
First Floor



Second Floor

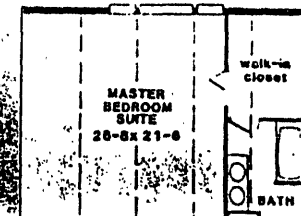
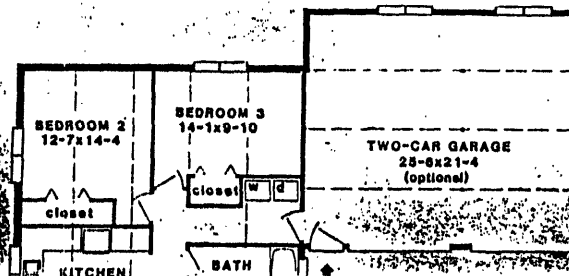
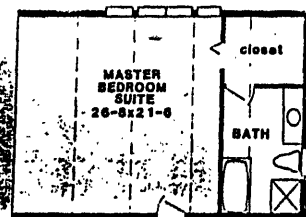
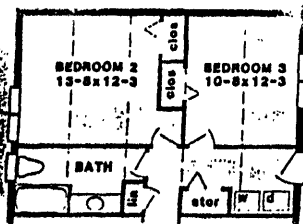


First Floor



Second Floor

**Mountaineer**  
1,219 sq. ft.  
21'-7" x 28'-3"



ZONING BOARD OF APPEALS  
Regular Meeting  
November 10, 1986

12/11/86-10:40 PM  
D. Johnson  
Exp. Sec'y T.C.  
TOWN CLERK'S OFFICE  
TOWN OF NEW WINDSOR

MEMBERS PRESENT: JACK BABCOCK, CHAIRMAN  
JAMES NUGENT, V. CHAIRMAN  
DANIEL P. KONKOL  
RICHARD FENWICK  
VINCENT BIVONA  
JOHN PAGANO

MEMBERS ABSENT: JOSEPH SKOPIN

ALSO PRESENT: JOSEPH P. RONES, ESQ.  
Attorney for ZBA  
MICHAEL BABCOCK, B. I.

The November 10, 1986 meeting of the Zoning Board of Appeals was called to order by Chairman Jack Babcock. Minutes and Roll were taken by Richard Fenwick in the absence of the Secretary.

Motion followed by James Nugent, seconded by John Pagano, to accept the minutes of the 10/27/86 meeting as written. ROLL CALL: 6-0.

\* \* \*

PRELIMINARY MEETING:

HAIGHT, ROBERT - Request for (1) 7,650 s.f. area and (2) 25 ft. lot width area variances for construction of one-family residential dwelling on Lake Road in Beaver Dam Lake. Applicant present with plans.

After some discussion, Attorney Rones was requested to check into the law concerning roads which naturally subdivide properties and report back to the Board.

Meanwhile, motion was made by John Pagano, seconded by Daniel P. Konkol, to schedule a public hearing upon the return of the completed paperwork. ROLL CALL: 6-0.

\* \* \*

PRELIMINARY MEETING:

BILA PARTNERS/MAVIS TIRE - Request for sign variance of 36 s.f. to be erected at location east side of Route 32 to the rear of Caldor's in a C zone. Applicant did not show.

\* \* \*

PRELIMINARY MEETING:

Labor Union Local #17 - Request to retain 6 ft. fence that protrudes the front of location on Rt. 32 in a C zone. Section 48-14 C-1 states